

DETAILED ACTION

1. This application claims benefit of the foreign application:

FRANCE 02/15115 with a filing date 12/02/2002.

2. Amendment of claims 38, 40, 43, and 45, cancellation of claims 1-24, and addition of claims 49-56 in the amendment filed on June 30, 2008 is acknowledged. Claims 25-56 are pending in the application. No new matter has been found. Since the newly added claims 49-56 are commensurate with the scope of the invention, claims 25-56 are prosecuted in the case.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Shruti S. Costales on September 10, 2008. The application has been amended as follows:

In claim 38, second page, line 7, after "L represents", delete "a"

Delete claims **25-37**.

Reasons for Allowance

4. The rejection of claims 40 and 46 under 35 U.S.C. 112, second paragraph has been overcome by the amendment filed on June 30, 2008.
5. Since the provisional rejection of claims 38-48 over Marion et al. co-pending application No. 10/544,953 under the obviousness-type double patenting is only remaining rejection, therefore the provisional rejection has been withdrawn herein.
6. Claims 38-56 are neither anticipated nor rendered obvious over the art of record, and therefore are allowable. The closest reference is Roster et al. US 7,084,293. The difference between the reference and instant claims is that the instant processes have not been found. A suggestion for modification of above reference to obtain the instant processes has not been found. Claims 38-56 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rei-tsang Shiao whose telephone number is (571) 272-0707. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph K. McKane can be reached on (571) 272-0699. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/REI-TSANG SHIAO /

Rei-tsang Shiao, Ph.D.
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September 18, 2008